

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Karl W. Krouse
Betty C. Krouse
aka Betty C. Herzing
Debtor(s)

Bankruptcy Case No.: 16-10694-TPA
Per January 24, 2017 proceeding
Chapter: 13
Docket No.: 59 – 48, 52
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 22, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Jones Township (Claim No. 5) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: January 30, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Karl W. Krouse
 Betty C. Krouse
 Debtors

Case No. 16-10694-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 54

Date Rcvd: Jan 30, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2017.

db/jdb
 14261796 +Karl W. Krouse, Betty C. Krouse, 4408 Wilcox road, Wilcox, PA 15870-2216
 14261803 AAS, PO Box 129, Monroeville, PA 15146-0129
 14261797 +Beneficial Finance, C/o CT Corporation System, 123 S Broad St,
 Philadelphia, PA 19109-1029
 14261798 +Bill Harshbarger, 567 Cherriwood Road, Pulaski, PA 16143-2707
 14261844 ++CHASE CARD SERVICES, 201 NORTH WALNUT STREET, ATTN MARK PASCALE, MAIL STOP DE1-1406,
 WILMINGTON DE 19801-2920
 (address filed with court: WaMu, PO Box 660487, Dallas, TX 75266-0487)
 14261800 +Chase, PO Box 15298, Wilmington, DE 19850-5298
 14261803 Dept of Veterans Affairs, PO Box 530269, Atlanta, GA 30353-0269
 14312770 ECMC, PO BOX 16408, St. Paul, MN 55116-0408
 14261804 Elk Emergency Group PC, PO Box 731584, Dallas, TX 75373-1584
 14261805 +Elk Regional Health Center, 763 Johnsonburg Road, Saint Marys, PA 15857-3498
 14261814 +Holiday Financial Services, 1800 Daisey St Ext, Ste 350, Clearfield, PA 16830-3265
 14261817 +James Groll, 900 Vine Road, Saint Marys, PA 15857-2050
 14261818 +Jolas & Associated LLP, 202 1st St NW, PO Box 4000, Mason City, IA 50402-4000
 14261819 +Jones Township Municipal Authority, PO Box 374, Wilcox, PA 15870-0374
 14261820 +Joseph Haight, 515 Market St, Johnsonburg, PA 15845-1239
 14261824 +KML Law Group, STE 5000 Independence Center, 701 Market St, Philadelphia, PA 19106-1538
 14261822 +Kenneth Shaffer, Wally's Super Service, 1278 Old State Road, Johnsonburg, PA 15845-3006
 14261823 +Keystone Rural Health Consortia, Johnsonburg Dental Center, 90 E 2nd St, PO Box 270,
 Emporium, PA 15834-0270
 14261826 M & T Bank, PO Box 619063, Dallas, TX 75261-9063
 14261828 +MRS Associates Inc, 1930 Olney Ave, Cherry Hill, NJ 08003-2016
 14261827 +McKean County Dental Center, 304 Seaward Ave, Bradford, PA 16701-3176
 14261829 Mt Jewett Dental Center, 122 West Main St, Mount Jewett, PA 16740
 14261830 ++NATIONAL FUEL GAS DISTRIBUTION CORPORATION, ATTN BANKRUPTCY DEPT, 6363 MAIN STREET,
 WILLIAMSVILLE NY 14221-5887
 (address filed with court: National Fuel, PO Box 371835, Pittsburgh, PA 15250-7835)
 14261833 +NGS/Coresource, PO Box 2310, Mount Clemens, MI 48046-2310
 14261834 #+Niagara Credit Solutions, 420 Lawrence Bell Dr, STE 3, Williamsville, NY 14221-8820
 14261836 +P&B Capital Group LLC, 461 Ellicott St 3rd fl, Buffalo, NY 14203-1544
 14261837 +Penn Highlands DuBois, 100 Hospital Avenue, Du Bois, PA 15801-1440
 14261839 +Penn Highlands Elk, 763 Johnsonburg Rd, Saint Marys, PA 15857-3417
 14261840 Publishers Clearing House, PO Box 8344, Harlan, IA 51593-1844
 14261841 R & R Radiology Consultant, PO Box 129, Clearfield, PA 16830-0129
 14261842 #+RMS, 77 Hartland St ste 401, PO Box 280431, Hartford, CT 06128-0431
 14312891 UPMC Community Medicine, PO Box 1123, Minneapolis, MN 55440-1123
 14261843 UPMC Physicians Services, PO Box 371980, Pittsburgh, PA 15250-7980
 14261845 Warren Overhead Door, PO Box 128, Clarendon, PA 16313-0128
 14261847 +Wilcox Volunteer FD, PO Box 117, Wilcox, PA 15870-0117
 14261848 +Yurchick's auto, 777 Meffert Run Road, Wilcox, PA 15870-7115

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14261799 E-mail/Text: matthartweg@cbjcredit.com Jan 31 2017 02:24:15 CBJ Credit Recovery,
 PO Box 1132, Jamestown, NY 14702-1132
 14262417 +E-mail/Text: bankruptcy@cavps.com Jan 31 2017 02:23:41 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 14261801 +E-mail/Text: creditonebknofications@resurgent.com Jan 31 2017 02:21:50 Credit One Bank,
 PO Box 98873, Las Vegas, NV 89193-8873
 14261802 E-mail/Text: creditonebknofications@resurgent.com Jan 31 2017 02:21:50 CreditOneBank,
 PO Box 98873, Las Vegas, NV 89193-8873
 14261810 E-mail/Text: bankruptcy@icsystem.com Jan 31 2017 02:23:58 Elk Regional Physicans Group,
 c/o IC System, 444 Highway 96 East, PO Box 64378, Saint Paul, MN 55164-0378
 14261811 +E-mail/Text: bankruptcy@erieinsurance.com Jan 31 2017 02:24:17 Erie Insurance,
 100 Erie Insurance Place, Erie, PA 16530-9000
 14261812 E-mail/Text: bankruptcynotice@fcbanking.com Jan 31 2017 02:21:54 First Commonwealth Bank,
 PO Box 400, Indiana, PA 15701
 14261815 E-mail/Text: bankruptcy@icsystem.com Jan 31 2017 02:23:58 I C Systems, 444 Highway 96 E,
 PO Box 64378, Saint Paul, MN 55164-0378
 14261821 E-mail/Text: rcorbett@kanehospital.org Jan 31 2017 02:24:34 Kane Community Hospital,
 4372 Route 6, Kane, PA 16735-3099
 14278325 E-mail/PDF: resurgentbknofications@resurgent.com Jan 31 2017 02:20:04
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14276105 E-mail/Text: camanagement@mtb.com Jan 31 2017 02:22:15 M&T Bank, P.O. Box 840,
 Buffalo, NY 14240-0840
 14261832 E-mail/Text: bankruptcydepartment@tsico.com Jan 31 2017 02:24:12 NCO Financial Systems Inc,
 PO Box 15740, Wilmington, DE 19850-5740
 14274201 +E-mail/Text: Bankruptcy@natfuel.com Jan 31 2017 02:23:02 National Fuel, Legal Dept.,
 P.O. Box 2081, Erie, PA 16512-2081
 14317971 E-mail/PDF: cbp@onemainfinancial.com Jan 31 2017 02:20:45 ONEMAIN FINANCIAL,
 P.O. BOX 3251, EVANSVILLE, IN 47731-3251

District/off: 0315-1

User: vson
Form ID: 149

Page 2 of 2
Total Noticed: 54

Date Rcvd: Jan 30, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14304880 E-mail/PDF: cbp@onemainfinancial.com Jan 31 2017 02:19:45 OneMain, PO BOX 70912,
Charlotte NC 28272-0912
14261835 E-mail/PDF: cbp@onemainfinancial.com Jan 31 2017 02:20:46 OneMain Financial,
PO Box 9001122, Louisville, KY 40290-1122
14261846 +E-mail/Text: bankruptcy@firstenergycorp.com Jan 31 2017 02:23:09 West Penn Power,
PO Box 3687, Akron, OH 44309-3687
14312364 +E-mail/Text: bankruptcy@firstenergycorp.com Jan 31 2017 02:23:09 West Penn Power,
5001 NASA Blvd, Fairmont, WV 26554-8248

TOTAL: 18

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr M&T BANK
14261806* +Elk Regional Health Center, 763 Johnsonburg Road, Saint Marys, PA 15857-3498
14261807* +Elk Regional Health Center, 763 Johnsonburg Road, Saint Marys, PA 15857-3498
14261808* +Elk Regional Health Center, 763 Johnsonburg Road, Saint Marys, PA 15857-3498
14261809* +Elk Regional Health Center, 763 Johnsonburg Road, Saint Marys, PA 15857-3498
14261813* ++FIRST COMMONWEALTH BANK, PO BOX 400, INDIANA PA 15701-0400
(address filed with court: First Commonwealth Bank, PO Box 400, Indiana, PA 15701-0400)
14261816* I C Systems, 444 Highway 96 E, PO Box 64378, Saint Paul, MN 55164-0378
14261831* ++NATIONAL FUEL GAS DISTRIBUTION CORPORATION, ATTN BANKRUPTCY DEPT, 6363 MAIN STREET,
WILLIAMSVILLE NY 14221-5887
(address filed with court: National Fuel, PO Box 371835, Pittsburgh, PA 15250-7835)
14261838* +Penn Highlands DuBois, 100 Hospital Avenue, Du Bois, PA 15801-1440
14261825 ##+LVNV Funding, PO Box 3038, Evansville, IN 47730-3038

TOTALS: 1, * 8, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 01, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 30, 2017 at the address(es) listed below:

Earle D. Lees, Jr. on behalf of Joint Debtor Betty C. Krouse bankruptcybutler@windstream.net,
earlelees@ducom.tv
Earle D. Lees, Jr. on behalf of Debtor Karl W. Krouse bankruptcybutler@windstream.net,
earlelees@ducom.tv
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedwpa.com

TOTAL: 6